

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

v.

**Criminal No. 5:20-CR-16-21
(Judge Bailey)**

ASHLY PHILLIPS,

Defendant.

UNITED STATES' MOTION TO DISMISS

The United States, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, seeks leave from this court to dismiss the Indictment against the above-named defendant. In support of this motion, the United States avers:

1. On August 5, 2020, the Grand Jury returned an Indictment charging the defendant with one count of Conspiracy to Distribute and Possess with the Intent to Distribute Cocaine Base, Methamphetamine, Heroin, and Fentanyl; one count of Aiding and Abetting the Distribution of Heroin within 1,000 Feet of a Protected Location; and one count of Aiding and Abetting the Distribution of Cocaine Base within 1,000 Feet of a Protected Location.

2. Defendant was admitted into the Federal Drug Court Program on April 12, 2021, and graduated on April 25, 2022. After her guilty plea and in conjunction with her participation in the Drug Court Program, the defendant made significant strides towards turning her life around.

3. The defendant has maintained gainful employment at Coleman's Fish Market in Wheeling, West Virginia, throughout the Program. She has also reestablished strong relationships with her children and her family. She completed 105 drug tests with no positive results while in the Program.

For the foregoing reasons, the United States respectfully seeks leave from this court to dismiss the Indictment as it pertains to Ashly Phillips.

Respectfully submitted,

WILLIAM IHLENFELD
UNITED STATES ATTORNEY

By: /s/ Clayton J. Reid
Clayton J. Reid
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of October 2022, I have electronically filed the attached documents with the Clerk of the Court using the CM/ECF system, to be served upon counsel of record.

William Ihlenfeld
United States Attorney

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